

ORDINANCE NO. _____

**AN INTERIM URGENCY ORDINANCE ESTABLISHING
A TEMPORARY MORATORIUM ON THE
ESTABLISHMENT OF NEW COMMERCIAL USES
THAT MAY CONFLICT WITH THE VALLEY
BOULEVARD CORRIDOR SPECIFIC PLAN, TO
ALLOW TIME FOR COMPLETION AND
IMPLEMENTATION OF THE SPECIFIC PLAN.**

The Board of Supervisors of the County of San Bernardino, State of California,
ordains as follows:

SECTION 1. The Board of Supervisors of the County of San Bernardino finds
that:

(a) For purposes of this ordinance, the "Valley Boulevard Corridor" shall
mean all parcels of unincorporated county land located between Interstate-10 and
Marigold Avenue, and between Alder Avenue and Spruce Avenue, in the community of
Bloomington.

(b) It is anticipated that the County may receive a number of applications to
establish new commercial uses that, if approved, may conflict with the purpose of the
pending Valley Boulevard Corridor Specific Plan (Specific Plan). Existing zoning
regulations do not adequately define community character, nor regulate development in
a manner that will improve conditions of the Valley Boulevard Corridor. The Specific
Plan is intended to solve deficiencies of the existing zoning regulations. This interim
urgency ordinance is necessary to provide the Land Use Services Department time to
complete the Specific Plan and present it to the Board of Supervisors for adoption.

(c) The Land Use Services Department is currently preparing the Specific
Plan, which is intended to enhance the aesthetic quality, the quality of the living
environment, and the economic vitality of the Valley Boulevard Corridor. Absent this
ordinance, commercial uses that are not compatible with the goals of the Specific Plan

1 may be established and may adversely impact the existing conditions or the potential
2 for enhancement of the Valley Boulevard Corridor.

3 (d) There is a current and immediate threat to the public health, safety and
4 welfare if permits or entitlements for certain new commercial uses are issued in the
5 Valley Boulevard Corridor. Such permits or entitlements may result in land uses or
6 development that would conflict with the pending Valley Boulevard Corridor Specific
7 Plan, that may be adopted as a result of studies that are currently in progress.

8
9 SECTION 2. Notwithstanding anything to the contrary in existing law, including
10 but not limited to the County Code and the County General Plan:

11 (a) No application for any permit or entitlement that would authorize
12 establishment of a new use that is prohibited by this ordinance shall be approved.
13 Nevertheless, as required by State law, the County may continue to accept and process
14 applications for use permits and development prohibited by this moratorium. Any
15 application shall be processed at the applicant's sole cost and risk with the
16 understanding that no use permits for uses prohibited by this interim ordinance shall be
17 issued within the Valley Boulevard Corridor while this moratorium and any extension
18 thereof is in effect. The following uses that may have adverse impacts on the aesthetic
19 quality or the quality of the living environment of the Valley Boulevard Corridor, or that
20 may impede improvement of economic vitality by adding new uses that are already
21 over-represented in the Valley Boulevard Corridor, shall be prohibited:

- 22 (1) Any use requiring outdoor storage or outdoor commercial operations.
23 (2) Agricultural support services.
24 (3) Industry, manufacturing, processing and wholesaling services listed in
25 Table 82-11 of the County Development Code.
26 (4) Automobile repair.
27 (5) Automobile sales.
28 (6) Truck sales.

- 1 (7) Truck terminal.
2 (8) Truck stop, including truck services and repairs.
3 (9) Used tire sales.
4 (10) Second hand stores and pawn shops.
5 (11) Massage therapy services.

6 (b) Section 2(a) shall not apply to any project approved prior to adoption of
7 this ordinance by the Board of Supervisors.
8

9 SECTION 3. This ordinance is an interim ordinance adopted as an urgency
10 measure pursuant to Government Code section 65858, and it shall be of no further
11 force and effect forty five (45) days from its date of adoption, unless it is extended by
12 further action of the Board of Supervisors, pursuant to Section 65858.
13

14 SECTION 4. The Board of Supervisors declares that it would have adopted this
15 ordinance and each section, subsection, sentence, clause, phrase, or portion of it,
16 irrespective of the fact that any one or more sections, subsections, sentences, clauses,
17 phrases or portions of it be declared invalid or unconstitutional. If for any reason any
18 portion of this ordinance is declared invalid or unconstitutional, then all other provisions
19 of it shall remain valid and enforceable.
20

21 SECTION 5. This ordinance is declared an urgency measure necessary for the
22 immediate protection and preservation of the public peace, health, safety and welfare
23 for the reasons stated in Section 1, and it shall take effect immediately upon its
24 adoption, pursuant to Government Code section 65858 and clause (d) of Government
25 Code section 25123.
26

27 _____
28 JAMES RAMOS, Chairman
Board of Supervisors

1 SIGNED AND CERTIFIED THAT A COPY OF THIS
2 DOCUMENT HAS BEEN DELIVERED TO THE
CHAIRMAN OF THE BOARD

3 LAURA WELCH
4 Clerk of the Board of Supervisors
5 of the County of San Bernardino

6 _____
7 STATE OF CALIFORNIA)
8) ss.
COUNTY OF SAN BERNARDINO)

9 I, LAURA WELCH, Clerk of the Board of Supervisors of the County of San
10 Bernardino, State of California, hereby certify that at a regular meeting of the Board of
11 Supervisors of said County and State, held on the ____ day of _____, 2015 at
which meeting were present Supervisors: _____

12 _____
13 and the Clerk, the foregoing ordinance was passed and adopted by the following vote, to
14 wit:

AYES:

15 NOES:

16 ABSENT:

17 IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official
18 seal of the Board of Supervisors this ____ day of _____, 2015.

19 LAURA WELCH
20 Clerk of the Board of Supervisors of the
21 County of San Bernardino,
State of California

22 _____
Deputy

23 Approved as to Form:
24 JEAN-RENE BASLE, County Counsel

25 By: _____
26 KENNETH C. HARDY
27 Deputy County Counsel

28 Date: _____